

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:05CV245

JEFFREY GRANT JAMES,)
)
 Plaintiff,)
)
 vs.)
)
 CITY OF ASHEVILLE, NORTH)
 CAROLINA and COUNTY OF)
 BUNCOMBE, NORTH CAROLINA,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER is before the Court on the Plaintiff's application to proceed without the prepayment of fees. The application is denied.

In the affidavit in support, the Plaintiff discloses that he receives monthly social security supplemental income as well as disability income. However, he does not disclose either amount. As a result, the Court cannot find that the Plaintiff qualifies to proceed without paying the filing fees.

A review of the proposed complaint shows Plaintiff alleges that unidentified police officers for the City of Asheville fractured his left knee on January 9, 2005 and that unidentified sheriff's deputies for Buncombe County deprived him of his prescription medication for a two day period during which he was incarcerated. He also claims that he was falsely accused of driving while intoxicated. The complaint in its present form is vague and fails to identify certain necessary parties. The Plaintiff is encouraged to consult with an attorney.

IT IS, THEREFORE, ORDERED that the Plaintiff's application to proceed without the prepayment of fees is hereby **DENIED**.

IT IS FURTHER ORDERED that in the event the Plaintiff fails to pay the filing fee on or before 20 days from entry of this Order, this action shall be dismissed.

Signed: July 12, 2005

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

